

WILLIAM FLEMING.

JULY 10, 1840.

Read, and laid upon the table.

Mr. GIDDINGS, from the Committee of Claims, submitted the following

REPORT :

The Committee of Claims, to whom were referred the papers in support of the claim of William Fleming to indemnity for Indian depredations, report :

That the only evidence offered in this case is the deposition of the claimant, which goes to show that he was in the possession of three horses in the county of Franklin, and State of Georgia ; which horses were stolen from him in the year 1792, by the Cherokee Indians, and were worth \$350 ; and that, in the year 1793, while engaged in a conflict with some of said Indians, he lost a rifle-gun worth \$30 ; for which losses he now claims indemnity from the United States.

The evidence of the individual claimant is never deemed sufficient of itself to establish a claim ; but if all the facts set forth were proven by indisputable testimony, the claim would still be inadmissible, as arising from the wanton depredations of Indians, which has never been recognised in the legislation of Congress as the basis of a claim on the Government of the United States. The committee, therefore, recommend to the House, for adoption, the following resolution :

Resolved, That the claim of the petitioner be rejected.